



GP1641

#4 04-26-99

Docket No. 3532-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Hahn et al.
Serial No. : 09/184,418 Group Art Unit: 1641
Filed : November 2, 1998 Examiner: TO BE ASSIGNED
For : REFERENCE CLONES AND SEQUENCES FOR NON-SUBTYPE B
ISOLATES OF HUMAN IMMUNODEFICIENCY VIRUS TYPE 1

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

APR 19 1999

Transmitted herewith is:

GROUP 1800

- 1) Return Receipt Postcard
- 2) Certificate of Mailing
- 3) Supplemental Information Disclosure Statement (2 copies)
- 4) INFORMATION DISCLOSURE CITATION
FORM PTO-1449, including cited references

Applicants believe that no fee is due. However, if that is not the case, the Commissioner is hereby authorized to charge any fees which may be required for any one of these papers, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3532-4000.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 3532-4000. A DUPLICATE COPY OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 12, 1999

By:


James P. Demers
Registration No. 34,320

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PATENT
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CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

I hereby certify that the attached

- 1) Return Receipt Postcard
- 2) TRANSMITTAL LETTER (2 copies)
- 3) Supplemental Information Disclosure Statement (2 copies)
- 4) INFORMATION DISCLOSURE CITATION FORM PTO-1449, including cited references

(including any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: April 12, 1999

By: James P. Demers
James P. Demers
Registration No. 34,320

CORRESPONDENCE ADDRESS:

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H. J. D.
04-26-99

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

This Supplemental Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed: _____
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application: _____
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Supplemental Information Disclosure Statement since it is being filed in compliance with:
 - ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application or filing date of the continued prosecution application filed on _____; or
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
 - ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits, whichever event occurred last.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500. Order No. _____.
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. ☐ one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. ☐ the attached petition requesting consideration of this Information Disclosure Statement; and
- c. ☐ the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To withdraw Application From Issue.
- c. ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement field herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after make reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under C.F.R. §1.17(i)(1).
- ☐ Charge the fee due under C.F.R. §1.17(i)(1) to Deposit Account No. 13-4500. Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500. Order No. 3532-4000. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By: 

James P. Demers
Registration No. 34,320

Dated: April 12, 1999

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PATENT & TRADEMARK OFFICE
APR 15 1999

<u>Examiner Initial</u>		<u>Isolate/Clone</u>	<u>GenBank Accession No.</u>	<u>Sequence in GenBank</u>	<u>GenBank Date¹</u>
	1	92RW009.6²	U88823	complete	Nov. 8, 1997
	2	92RW009.14	U08793	env, partial cds ³	Jul. 31, 1996
	3	92RW009.2	U16220	env gp120	Feb. 5, 1998
	4	92RW009.3	U16221	env gp120	Feb. 5, 1998
	5	92RW009.4	U16222	env gp120	Feb. 5, 1998
	6	92RW009	U13441	env, V1 V2 region, partial	Aug. 2, 1995
	7	92RW009	U86545	gag, partial cds	Mar. 19, 1997
	8	92NG003.1	U88825	complete	Nov. 8, 1997
	9	92NG003.1	U13208	env, partial cds	Aug. 24, 1995
	10	92NG083.2	U88826	complete	Nov. 8, 1997
	11	93BR020.1	AF005494	complete	May 7, 1998
	12	93BR020.17	U27401	env and nef genes, partial cds	Aug. 19, 1996
	13	93BR020	U51290	ltr ⁴	Oct. 4, 1996
	14	93BR029.4	AF005495	complete	May 7, 1998
	15	93BR029.2	U27413	env and nef genes, partial cds	Aug. 19, 1996
	16	93BR029	U51291	ltr region	Oct. 4, 1996
	17	90CF056.1	AF005496	complete	May 7, 1998
	18	90CF056.1	L11497	env, V3 region	Oct. 26, 1993

¹ This date is obtained from the "Date" entry of the GenBank database printout. Sometimes the "Comment" entry indicates an earlier publication date. See, e.g., the entry for GenBank Accession No. U08793.

² The entries concerning the complete (or near-complete) sequences of the invention are highlighted in bold.

³ cds = coding sequence

⁴ ltr = long terminal repeat